

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:16-cr-00016-MR-DLH-5**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) **O R D E R**
)
)
CRAIG VINSHUN MOSELY,)
)
Defendant.)
)

THIS MATTER is before the Court upon the Defendant's Notice of Appeal of Detention Hearing. [Doc. 100].

The Defendant, through counsel, appeals the detention order [Doc. 96 entered by the Magistrate Judge on June 22, 2016. As his sole grounds for appeal, the Defendant argues that the Magistrate Judge "erred in ordering him detained." [Doc. 100 at 1].

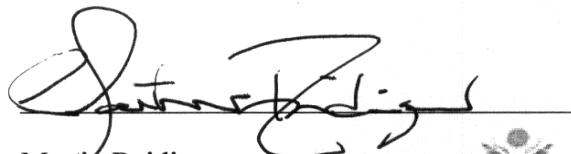
In reviewing a motion to revoke or amend an order of detention, the Court reviews the Magistrate Judge's Order de novo. United States v. Stewart, 19 F. App'x 46, 48 (4th Cir. 2001). The Court "must make an independent determination of the proper pretrial detention or conditions of release." Id.

Upon careful review of the record, the Court agrees with the Magistrate Judge that there is clear and convincing evidence that the release of the Defendant would create a risk of harm or danger to another person or the community. See 18 U.S.C. § 3142(g)(4). Having conducted an independent review of the record, the Court concludes that the Magistrate Judge carefully considered each factor set forth in 18 U.S.C. § 3142(g) and properly concluded that detention is warranted in this case. Accordingly, the Court will affirm the Defendant's detention pending trial.

IT IS, THEREFORE, ORDERED that the Defendant's Notice of Appeal of Detention Hearing [Doc. 100] is **DENIED**, and the Order of Detention [Doc. 96] is hereby **AFFIRMED**.

IT IS SO ORDERED.

Signed: July 7, 2016



Martin Reidinger
United States District Judge